



01-14-02

Customer No. 000959 *RCG/1600*

**REQUEST FOR CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(d)**

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/297,652	PRIOR APPLICATION FILING DATE: JULY 8, 1999
MIJ-001USCPA	CLASS:	SUBCLASS:	EXAMINER: B. BADIO	ART UNIT: 1601/2900

COMMISSIONER FOR PATENTS  
BOX CPA  
WASHINGTON, DC 20231

RECEIVED  
JAN 16 2001  
TECH CENTER 1601/2900

#17  
AKD  
1-30-02

<b>CERTIFICATION UNDER 37 CFR 1.10</b>	
Date of Deposit: <u>January 11, 2002</u>	Mailing Label Number: <u>EL 833313842 US</u>
I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.	
<u>Larry Taylor</u> Name of Person Mailing Paper	<u><i>Larry Taylor</i></u> Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a continued prosecution application under 37 CFR 1.53(d), of pending prior application serial no. 09/297,652 filed on July 8, 1999, entitled SYNERGISTIC GOLD-CONTAINING COMPOSITIONS, which is a national phase of PCT serial no. PCT/AU97/00747, filed on November 4, 1997, which claims priority to Australian patent application serial no. PO 3473, filed on November 4, 1996 which was filed by the following named inventor(s).

<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Richard Edward Thomas	14 Parnell Street, Killara, NSW 2071, Australia	Australia
	<u>POST OFFICE ADDRESS</u>	

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this Continued Prosecution Application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ This application discloses only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are  
☒ the same, or  
☐ less than those named in the prior application. Please delete the following named inventors:
- ☐ Enter the amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 but unentered, in the prior application.
- ☐ A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 37	MINUS	** 20	= 17
INDEP.	* 2	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
x 9 =	\$ 153.00		x 18 =	\$ .00
x 42 =	\$0.00		x 84 =	\$ .00
+140 =	\$ .00		+ 280 =	\$ .00
BASIC FEE	\$370.00		BASIC FEE	\$ .00
TOTAL	\$523.00	OR	TOTAL	\$0.00

4. ☐ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayments, associated with this communication, to Deposit Account No.. **For this purpose a duplicate of this document is enclosed.**
5. ☒ **THE FILING FEE IS NOT BEING PAID AT THIS TIME.**
6. ☒ A verified statement claiming small entity status was filed in the parent application Serial No. 09/297,652 on July 8, 1999 and is still deemed proper, and its benefit under 37 CFR 1.28(a) is hereby claimed.
7. ☒ Priority of application Serial No. PO 3473, filed on November 4, 1996, in Australia, is claimed under 35 U.S.C. 119. The certified copy has been filed in the PCT patent application PCT serial no. PCT/AU97/00747 filed on November 4, 1997.
8. ☒ The prior application is assigned of record to: Medical Innovations Limited; recorded July 12, 1999, Reel 010084 Frame 0032.
9. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
10. ☒ A request for a One month extension of time is being filed concurrently herewith in the parent application, Serial No. 09/297,652, in order to establish copendency with the present application (a copy of the request for extension is enclosed).
11. ☐ Also enclosed:
12. ☒ Address all future communications (may only be completed by applicant or attorney or agent of record) to Jane E. Remillard at **Customer No. 000959**, whose address is:

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application in the file wrapper of a 37 CFR 1.53(d) application be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

January 11, 2002

Date

☐ Inventor(s)

☒

Attorney or Agent of Record